

ORDINANCE NO. _____

ORDINANCE REPEALING ARTICLE VI, CHAPTER 22
OF THE BELMONT MUNICIPAL CODE, POLITICAL SIGNS

WHEREAS, on March 8, 2011, the City Council adopted Ordinance 1055, Amending Section 23 and adding Section 23(a) (Sign Standards for Public Property) of the Belmont Zoning Ordinance 360; and,

WHEREAS, Ordinance 1055 governs the regulations of all temporary signage, including political signs; and,

WHEREAS, Ordinance 1055 went into effect on April 8, 2011; and,

WHEREAS, provisions of Ordinance 1055 governing temporary signs supersede the regulations outlined in Municipal Code Article VI, Chapter 22, of the Belmont Municipal Code.

The City Council of the City of Belmont does ordain as follows:

SECTION 1: Article VI, Chapter 22 of the Belmont Municipal Code, adopted in 1994 and amended in 2001, is hereby repealed. The Municipal Code provisions to be repealed are:

Temporary signs announcing political candidates seeking public office, political parties, and/or political and public issues contained on a ballot may be erected within the city pursuant to the terms and provisions of this chapter, beginning twenty-four (24) calendar days prior to the election to which they pertain.

Sec. 22-82. - Size and placement standards.

(a) In no instance shall political signs be:

(1) Larger than four (4) square feet.

(2) Illuminated.

(3) Placed on roofs.

(4) Placed on private property without the express consent of the property owner.

(5) Placed in the public right-of-way bordering the following streets:

(a) Ralston Avenue

(b) Alameda de las Pulgas

(c) El Camino Real

(d) Old County Road

(6) Placed in any public street median, or on any bridge, public utility box, or any pole used for public utility, traffic control signs, traffic signals, or street signs.

(b) Political signs may be placed on the three (3) six foot (6') high panels and three (3) three feet (3') high panels of the fence bordering Twin Pines Park opposite South Road, subject to the following requirements:

(1) The size of signs placed on the Twin Pines Park fence shall not exceed sixteen (16) square feet.

(2) Signs placed on the Twin Pines Park fence shall not exceed one (1) sign per candidate or measure per election.

(3) Signs to be placed on the Twin Pines Park fence shall be delivered to the director of parks and recreation who shall place the signs on the fence.

Sec. 22-83. - Removal of political signs.

- (a) Non-conforming signs. Political signs which do not conform to the regulations of this article may be removed after twenty-four (24) hours notice to the owner of the sign.*
- (b) Signs creating a hazardous condition. Political signs which interfere with sight distance, distract from traffic control devices in place, or interfere with safe bicycle or pedestrian circulation, shall be deemed to create a hazardous condition. Signs deemed to create a hazardous condition shall be subject to immediate removal by a representative of the city authorized to do so by the city manager. If information is provided to the city or included on the sign indicating whom to contact regarding the sign, the city shall provide notice to the contact following removal of the sign. If the sign is not redeemed within fifteen (15) days, the director of public works or his designee may destroy the aforesaid signs.*
- (c) Political signs shall be removed no later than ten (10) days after the election. Political signs remaining more than ten (10) days after the election may be removed and destroyed, without notice, if not claimed by the owners within ten (10) days after the election to which the signs relate.*

SECTION 3: Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Belmont hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more section, subsection, sentence, clause, phrase or portion may be declared invalid or unconstitutional.

SECTION 4:

Pursuant to Section 36937 of the Government Code of the State of California, this Ordinance shall take effect and be in full force and effect thirty (30) days after its final passage.

SECTION 5: The City Clerk shall cause this Ordinance to be published and posted in accordance with the requirements of Section 36933 of the Government Code of the State of California.

Introduced this 10th day of May, 2011.

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PASSED AND ADOPTED as an Ordinance of the City of Belmont at a regular meeting thereof held on the _____ day of _____, 2011.

AYES, COUNCILMEMBERS: _____

NOES, COUNCILMEMBERS: _____

ABSENT, COUNCILMEMBERS: _____

ABSTAIN, COUNCILMEMBERS: _____

Mayor of the City of Belmont

ATTEST:

Clerk of the City of Belmont